

Kevin S. Wiley, Jr.
State Bar No. 24029902
325 N. St. Paul Street, Suite 4400
Dallas, TX 75201
Tel. (469) 619-5721
Fax (469) 619-5725
Counsel for Creditor
Kirby-Smith Machinery, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:	§	Chapter 7
	§	
MICHAEL STEPHEN GALMOR	§	Case No. 18-20209-rlj
	§	
DEBTOR.	§	
	§	
And	§	
	§	
GALMOR'S/G&G STEAM SERVICE, INC.	§	
	§	
DEBTOR.	§	
	§	
KENT RIES, Trustee	§	

	§	
	§	ADVERSARY NO. 19-2006
THE LIQUIDATION OF THE	§	
GALMOR FAMILY LIMITED	§	
PARTNERSHIP AND GALMOR	§	
MANAGEMENT, L.L.C.	§	

**KIRBY-SMITH MACHINERY, INC.'S RESPONSE TO THE CHAPTER 7 TRUSTEE'S
MOTION TO SELL THE "PIT PLACE" REAL PROPERTY**

COMES NOW, Kirby-Smith Machinery, Inc. (Kirby-Smith), a creditor in this proceeding, to submit this Response in opposition to the Motion to Sell the "Pit Place" Real Property submitted by the Chapter 7 Trustee (the Motion), and states as follows:

The Debtor initially filed for relief under Chapter 11 on June 19, 2018. Debtor's bankruptcy case was converted to a Chapter 7 proceeding by Order of the Court on January 8, 2019. The Debtor's Chapter 7 case is associated Debtor's Corporate Chapter 7 case with Case No. 18-20210-rlj, Galmor's/G&G Steam Service, Inc.

Kirby-Smith has an interest in the outcome of these adversary and has been a participant on several motions for relief in both the adversary and the underlying bankruptcy cases.

Kirby-Smith joins with the Trustee in his effort to liquidate assets from the Galmor Family Limited Partnership and Galmor Management, L.L.C. However, Kirby-Smith opposes the timing of the sale of the Pit Place Property and the bidding procedures required by the Trustee.

As the Motion indicates, the Trustee has received an offer to purchase the Pit Place Property, which consists of 132.7 acres of property located in Wheeler County, Texas for \$66,350.00. The Motion also indicates that the Trustee's broker listed the Pit Place Property for \$500.00/acre which resulted in the fair value offer for the Pit Place Property.

Based upon reasonable and credible information, Kirby-Smith believes that the Pit Place Property is potentially of a higher value than what is represented in the Motion and/or by the Trustee's listing agent. Kirby-Smith would like to participate as a competitive bidder to purchase the Pit Place Property. However, the Trustee's request to deposit \$5,000.00 in earnest money within a few weeks of receiving notice of the Motion in order to participate in the bidding process is not in the best interest of the estate. Said another way, the expediency of the bidding procedures imposed by the Motion would tend to exclude other competitive bidders, like Kirby-Smith, who have not had an adequate opportunity to value the Pit Place Property.

WHEREFORE, Kirby-Smith requests that the Motion should be denied in part, and the

parties interested in participating in the bidding process be allowed additional time to obtain their own valuations of the Pit Place Property for a competitive bidding process.

Respectfully Submitted,

/s/ Kevin S. Wiley, Jr.

Kevin S. Wiley, Jr.

SBOT # 24029902

325 N. St. Paul Street, Suite 4400

Dallas, Texas 75201

Tel. (469) 619-5721

Fax (214)426-3934

kevinwiley@lkswj.com

Attorneys for Kirby-Smith Machinery, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the parties listed on the matrix for this case this 31st day of December, 2020 by electronic case filing and by U.S. Mail 1st Class.

/s/ Kevin S. Wiley, Jr.